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10 Attorneys for Defendant
INTUIT INC.

11
12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

15 **IN RE HIGH-TECH EMPLOYEE**
16 **ANTITRUST LITIGATION**

17 **THIS DOCUMENT RELATES TO:**
18 **All Actions**
19

Case No. 11-CV-2509 LHK

**DECLARATION OF CATHERINE T.
ZENG IN SUPPORT OF RENEWED
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL**

1 I, CATHERINE T. ZENG, declare:

2 1. I am an attorney at law, duly admitted to practice in the State of California and
3 before this Court. I am an associate at the law firm of Jones Day, counsel for Defendant Intuit
4 Inc. (“Intuit”) in the above captioned action. I submit this Declaration in support of Defendants’
5 Joint Renewed Administrative Motion to Seal Portions of the Expert Reports of Dr. Leamer and
6 Dr. Murphy. As one of the attorneys involved in the defense of this action, unless as otherwise
7 stated, I have personal knowledge of the facts stated in this Declaration and if called as a witness I
8 could and would testify competently to them.

9 2. I have reviewed the expert reports of Dr. Leamer and Dr. Murphy. As described
10 below, the information requested to be sealed quotes from or describes Intuit’s recruiting or
11 compensation methods, strategies, data, and practices. Intuit has designated this information as
12 “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” pursuant to the Stipulated
13 Protective Order in this case.

14 3. As noted in the January 22, 2013 Declaration of Lisa K. Borgeson In Support of
15 Renewed Administrative Motion to File Under Seal (Dkt. No. 285) (“Borgeson Declaration”) Intuit’s salary and compensation data, strategies and methods are non-public, highly sensitive and
16 confidential, and private to Intuit and its employees. Moreover, Intuit’s recruiting strategies,
17 methods, data and practices are also non-public and proprietary to Intuit. Therefore, information
18 pertaining to Intuit’s recruiting and compensation methods, strategies, practices and data is
19 confidential and public dissemination of that information could cause Intuit competitive harm.

20 4. Specifically, Intuit seeks to keep the following redacted portions of Dr. Murphy’s
21 expert report under seal:

- 22 • **Exhibit 3** contains confidential information about the top twenty previous employers
23 of Intuit’s hires. This is confidential employee data that pertains to Intuit’s recruiting
24 strategies, methodologies, and practices.
- 25 • **Appendix 1A** contains confidential information about the number and percentage of
26 hires at Intuit from other defendants. This is confidential employee data that
27 pertains to Intuit’s recruiting strategies, methodologies, and practices.
- 28

- 1 • **Appendix 1B** contains confidential information about the number and percentage of
2 separations at Intuit that went to other defendants. This is confidential employee
3 data that pertains to Intuit’s recruiting strategies, methodologies, and practices.
- 4 • **Appendix 1C** contains confidential information about the number and percentage of
5 hires at Intuit from other defendants. This is confidential employee data that
6 pertains to Intuit’s recruiting strategies, methodologies, and practices.
- 7 • **Appendix 1D** contains confidential information about the number and percentage of
8 separations at Intuit that went to other defendants. This is confidential employee
9 data that pertains to Intuit’s recruiting strategies, methodologies, and practices.
- 10 • **Appendix 2A** contains confidential information about the number and percentage of
11 hires at Intuit from other defendants. This is confidential employee data that pertains
12 to Intuit’s recruiting strategies, methodologies, and practices.
- 13 • **Appendix 2B** contains confidential information about the number and percentage of
14 separations at Intuit that went to other defendants. This is confidential employee
15 data that pertains to Intuit’s recruiting strategies, methodologies, and practices.
- 16 • **Appendix 2C** contains confidential information about the number and percentage of
17 hires at Intuit from other defendants. This is confidential employee data that
18 pertains to Intuit’s recruiting strategies, methodologies, and practices.
- 19 • **Appendix 2D** contains confidential information about the number and percentage of
20 separations at Intuit that went to other defendants. This is confidential employee
21 data that pertains to Intuit’s recruiting strategies, methodologies, and practices.
- 22 • **Appendix 4A** contains information about the distribution of base salaries at Intuit.
23 This is confidential employee salary information that pertains to Intuit’s
24 compensation methods, strategies, practices and data.
- 25 • **Appendix 4B** contains information about the distribution of base salaries at Intuit.
26 This is confidential employee salary information that pertains to Intuit’s
27 compensation methods, strategies, practices and data.
- 28 • **Appendix 4C** contains information about the distribution of total compensation at

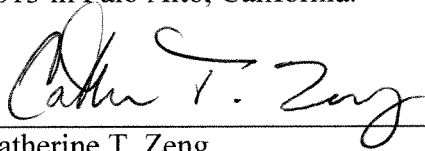
Intuit. This is confidential employee salary information that pertains to Intuit's compensation methods, strategies, practices and data.

- **Appendix 4D** contains information about the distribution of total compensation at Intuit. This is confidential employee salary information that pertains to Intuit's compensation methods, strategies, practices and data.

- **Appendix 5C** contains information about the distribution of total compensation for the top 10 jobs at Intuit. This is confidential employee salary information that pertains to Intuit's compensation methods, strategies, practices and data.

- **Appendix 6C** contains information about the distribution of annual changes in total compensation at Intuit for the top 10 jobs at Intuit. This is confidential employee salary information that pertains to Intuit's compensation methods, strategies, practices and data.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 12th day of April, 2013 in Palo Alto, California.


Catherine T. Zeng

SVI-123603v1